

RECEIVED  
CENTRAL FAX CENTER

MAY 16 2006

*Lilly*

Facsimile

Eli Lilly and Company  
Lilly Corporate Center  
Indianapolis, Indiana 46285  
U.S.A.

Legal Department - Patent Division

Date: May 16, 2006

To: Central Fax  
Company: USPTO  
Fax: 1-571-273-8300  
Phone:From: Lynn D. Apelgren  
Fax: 317-276-5172  
Phone: 317-276-6501  
Total Pages: 12Subject: Application No.: 10/542,508  
Docket No.: X-15950-US

PRIVILEGED AND CONFIDENTIAL COMMUNICATION

Message:

Please see attached Response for filing in the above patent matter. Please confirm receipt. Thank you.

If there are any transmittal problems please call Kim Landers at (317) 277-1469.

This facsimile message is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify us immediately by telephone (collect), and return the original message to us at the above address via U.S. Postal Service.

Answers That Matter.

**RECEIVED**  
CENTRAL FAX CENTER**MAY 16 2006****UNITED STATES PATENT AND TRADEMARK OFFICE**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,508	07/15/2005	Craig Duane Dickinson	X-15950	5382
25885 7590 05/04/2006				
ELI LILLY & COMPANY				
PATENT DIVISION				
P.O. BOX 6288				
INDIANAPOLIS, IN 46206-6288				
<b>RECEIVED</b>				
<b>MAY 09 2006</b>				
ELI LILLY AND COMPANY				
Patent Division				
EXAMINER				
SACKEY, EBENEZER O				
ART UNIT				
1626				
PAPER NUMBER				
1626				

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Failure to Acceptably Respond to  
Notice of Non-Compliant Amendment (37 CFR 1.121)  
*No New Time Period for Reply is Provided*

The amendment document filed on 4/25/06 fails to provide the corrective action required by the prior Notice of Non-Compliant Amendment (37 CFR 1.121) mailed on 3/28/06. The amendment, including both the originally filed amendment and the amendment filed in response to the prior notice, is still considered to be non-compliant under 37 CFR 1.121. In order for the amendment document to be compliant, correction of the item(s) listed below is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

The period for reply continues to run from the mailing date of the prior Notice of Non-Compliant Amendment. The corrections listed below must be timely filed to avoid abandonment of the application. No new time period for reply is provided in this communication. See the Manual of Patent Examining Procedure (MPEP) § 714.03.

If the period for reply set forth in the prior Notice of Non-Compliant Amendment has expired, this application will become abandoned unless applicant: (1) corrects the deficiency, and (2) obtains an extension of time under 37 CFR 1.136(a). In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in the prior Notice of Non-Compliant Amendment (37 CFR 1.121).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- G 1. Amendments to the specification:
- G A. Amended paragraph(s) do not include markings.
  - G B. New paragraph(s) should not be underlined.
  - G C. Other: \_\_\_\_\_
- G 2. Abstract:
- G A. Not presented on a separate sheet. 37 CFR 1.72.
  - G B. Other: \_\_\_\_\_
- G 3. Amendments to the drawings:
- G A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - G B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - G C. Other: \_\_\_\_\_
- G 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
  - G B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original); (Currently amended); (Canceled); (Previously presented); (New); (Not entered); (Withdrawn) and (Withdrawn-currently amended).
  - G D. The claims of this amendment paper have not been presented in ascending numerical order.
  - G E. Other: \_\_\_\_\_

Blenda Sharp  
Supervisory Legal Instruments Examiner (SLJE)

571-272-0528  
Telephone No.

Rev. 8/05